

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ORLANDO GARCIA,

Plaintiff,

v.

CHSP UNION SQUARE II LLC, et al.,

Defendants.

Case No. [21-cv-00213-AGT](#)

**ORDER REGARDING PLAINTIFF'S  
UNTIMELY OPPOSITION TO  
DEFENDANTS' MOTION TO DISMISS**

Re: ECF No. 14

On February 7, 2021, defendants filed a motion to dismiss. ECF No. 10. Pursuant to Civil Local Rule 7-3(a), plaintiff's opposition was due 14 days later, on February 22, 2021. On March 5, 2021, nearly two weeks after that due date and four days after defendants filed their timely reply brief, ECF No. 13, plaintiff filed an untimely opposition which explains that plaintiff's counsel missed the opposition deadline because "[h]e was affected by the historic storm and power outage that hit Texas" and "had no access to his files, his office server, his list of tasks due and so forth" during that time, ECF No. 14 at 7. Given this explanation, the Court will accept plaintiff's late-filed opposition, but plaintiff's counsel is cautioned that future missed deadlines may result in sanctions or other relief as appropriate. The Court will also allow defendants to file an optional response to plaintiff's opposition, which should not exceed 14 pages and is due by **March 22, 2021.**

The March 19, 2021 hearing on defendants' motion to dismiss is hereby continued to **April 9, 2021 at 10:00 a.m.**

**IT IS SO ORDERED.**

Dated: March 8, 2021



ALEX G. TSE  
United States Magistrate Judge